



JOB DESCRIPTION

JOB TITLE: City Attorney

DEPARTMENT: Office of the City Attorney

REPORTS TO: City Council

DATE: April, 2009

EMPLOYEE UNIT: Appointed by City Council

Supersedes: August, 1997

FLSA EXEMPT: Yes

JOB SUMMARY: The City Attorney is directly appointed by the City Council to provide legal advice and services to the City Council, City Commissions, other elected and appointed City officials and City staff.

CLASS CHARACTERISTICS: This is an executive classification that receives policy direction from the City Council and consults with the City Manager to meet legal needs of city administration. Exercises direct supervision over staff allocated to the City Attorney's Office. The City Attorney may provide indirect supervision to other staff as appropriate.

This is an "At-Will" classification which means the City Attorney serves at the will of the City Council and may be removed at any time without cause, notice, or right of appeal.

ESSENTIAL DUTIES AND RESPONSIBILITIES: The following duties are performed personally or by contract with special counsel, in consultation with and at the direction of the City Council and/or in coordination with other City staff. Additional duties may be assigned.

1. Represent and advise the city council and all city officers and employees in all matters of law pertaining to their offices;
2. Represent and appear for the city, its council, boards and commissions, in any or all legal actions or proceedings in which they or any of them are concerned or are a party;
3. Upon request of a current or former officer or employee of the city, defend such officer or employee in any legal action or proceeding brought against such officer or employee, either in their official or individual capacity or both, on account of any act or omission in the scope of their employment as an officer or employee of the city, and whenever the city is required by state law to provide such defense or whenever the council elects to provide such defense even though not required to do so. Provided, however, that the city attorney may refuse to provide such defense whenever, in his or her opinion, provision of such a defense would conflict with other duties or responsibilities, in which event the city shall provide other legal counsel if required to do so under state law or if the council elects to do so;
4. Attend meetings of the city council and redevelopment agency, attend other boards and commissions as

deemed necessary by the City Attorney, provide advice or opinion verbally and/or in writing whenever requested to do so by the City Council, Boards, Commissions or other officers of the City;

5. Approve the form of all bonds given to and all contracts made by the city, endorsing approval thereon in writing;
6. Prepare any and all proposed ordinances or resolutions for the city, and amendments thereto;
7. Prosecute on behalf of the people all criminal cases for violation of the municipal code and state law as appropriate;
8. Subject to the approval of the city council, determine the composition of the staff of the city attorney's office. Notwithstanding other provisions of this code or personnel rules, regulations or practices to the contrary, the city attorney shall appoint, supervise, discipline and dismiss such staff in his or her discretion, provided, however, that salary and benefits of such staff are subject to establishment by the city council. For purposes of this chapter, the term staff shall be defined as including deputy and assistant city attorneys, paralegals, law clerks, interns and clerical support personnel;
9. Author and administer the department budget, submitting the same to the city council for its approval;
10. Ensure that in his or her absence or disability, an acting city attorney is duly designated and available to the city council and staff;
11. On vacating the office, surrender to his or her successor all books, papers, files and documents pertaining to the city's affairs;
12. Perform such other legal functions and duties incident to the execution of the foregoing powers as may be necessary, and perform such other legal services as may be required by the city council or imposed by law.

The city attorney shall have control of all legal business and proceedings, including the employment, in the city attorney's discretion, of other attorneys, appraisers or other technical and expert services to assist with or to take charge of any litigation or matter.

QUALIFICATION REQUIREMENTS: To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. Requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Education & Experience:

1. Graduation from an accredited law school.
2. This position requires an extensive background in the practice of municipal law. A typical way to obtain the required knowledge, skills and abilities would include five years of legal practice, with at least three years in municipal or other public agency law.

Licenses & Certificates:

1. Current membership in the California State Bar.
2. Possession of a valid California Class C driver's license in compliance with adopted City driving standards.

Other Requirements:

1. Providing personal legal services for City officials or employees is prohibited unless such services are related to their official City function.
2. No outside practice shall be permitted without specific approval of the City Council, except for occasional services offered pro bono to nonprofit or charity organizations to the extent that such work does not interfere or conflict with the work as City Attorney.

Knowledge of:

1. Duties, powers, limitations, authority and organization of municipal government and the City Attorney's Office.
2. California Codes and legal principles and practices concerning civil, constitutional and administrative law and procedure.

Skill in:

1. Communicating effectively orally and in writing including the extensive use of personal computer operations for referencing, researching and analyzing documents.
2. Coordinating legal issues with the City Council, Commissions, management, staff and the community.
3. Writing and reviewing legal briefs, ordinances, resolutions and other legal documents.
4. Representing the City in legal proceedings in the municipal, state or federal courts.
5. Cultivating and maintaining effective working relationships with the City Council and other governmental officials, court officials, staff and the general public.
6. Organizing, interpreting and applying legal principles and precedents to local government problems.
7. Effectively formulating interpretations, analyzing and resolving legal issues and recommending courses of action.
8. Providing outstanding customer satisfaction (internally and externally).
9. Use of common office software including Microsoft Office.

Ability to:

1. Effectively plan, organize and direct the activities of the City Attorney's Office.
2. Select, direct, train and evaluate subordinate staff.

PHYSICAL DEMANDS: Physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

1. While performing the duties of this job, the employee is regularly required to talk or hear. Employee frequently is required to sit, stand, walk, use hands and fingers to handle or feel objects, tools, or controls; reach with hands and arms; climb or balance; stoop, kneel, or crouch.
2. Employee must occasionally lift and/or move up to 20 pounds. Specific vision abilities required by this job include close vision, distance vision, peripheral vision, and depth perception, the ability to adjust focus.

WORK ENVIRONMENT: Work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

1. Employee generally works 90% indoors and 10% outdoors.
2. The work environment indoors is usually in a temperature-controlled office; some travel is required.
3. Noise level in the work environment is usually moderate.